

PENNSYLVANIA STATEWIDE PLAN UPDATE

A SELF EVALUATION OF THE PENNSYLVANIA SYSTEM OF LEGAL SERVICES

**SUBMITTED BY
PENNSYLVANIA LEGAL SERVICES**

JUNE 14, 2002

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This report is submitted by Pennsylvania Legal Services (PLS), in response to Program Letter 2000-7 of the Legal Services Corporation (LSC). The purpose of this report is to inform LSC about ongoing planning and implementation of the objectives that resulted from past planning by the network of legal aid programs and their partners in Pennsylvania. The evaluation has also served as a state planning tool enabling Pennsylvania's statewide justice community to recommit to goals and service strategies.

I. PENNSYLVANIA'S STATEWIDE JUSTICE COMMUNITY.

The vision of the Pennsylvania system of legal aid programs should be restated and emphasized. It still rings true today:

Every low income community and population group in the state will have access to the full range of legal services and legal remedies regardless of where they are in the state. The services that are provided will meet statewide standards for quality, efficiency of delivery and effectiveness.

Prior to the various rounds of planning and implementation over the past several years, the look of legal aid programs in Pennsylvania was highly dispersed. There were 19 separate census-based programs, providing local services, and six specialized programs, providing services across the state. The size of census-based programs ranged from one to ten counties.

Following a series of well-planned mergers, consolidations and cooperative agreements, there are now seven regional census-based program areas: MidPenn Legal Services, North Penn Legal Services, Southwest Pennsylvania Legal Services Consortium, Legal Aid of Southeastern Pennsylvania, Northwestern Legal Services (NWLS), and Community Legal Services (CLS). Philadelphia Legal Assistance (PLA) is part of a consortium of service providers for Philadelphia and provides representation to residents of Philadelphia, under a cooperative plan with CLS.

The consortium model in the southwestern part of the state represents a particularly innovative approach to the design of regional programs. While the three programs of this area retain separate identities (Neighborhood Legal Services Association, Southwestern Pennsylvania Legal Aid Society and Laurel Legal Services), they coordinate in such areas as development, brief service and advice, technology, training, and other core functions of the regional programs.

Augmenting the work of these general service programs are two categories of specialized programs. The first consists of specialized programs that receive funding through PLS, not only to serve specialized populations or to provide services that the regional programs cannot, but also to provide backup and support to all of the regional programs. This backup and support includes training, litigation, co-counseling, legislative and administrative advocacy, strategizing on complex matters, and assistance to client groups. The PLS-funded specialty programs include the following. None of these programs receive any funding from LSC.

- **Health Law Project:** Offers legal advice, representation and legislative and administrative advocacy on issues having to do with access to and availability of health-related benefits and programs for low-income residents across the Commonwealth of Pennsylvania.
- **Friends of Farmworkers:** Offers legal advice and representation, and legislative and administrative advocacy on behalf of farmworkers and migrant workers throughout the

state, on issues having to do with their occupation. Recently, this program has expanded its mission to include representation of other low wage workers from migrant and immigrant communities from which farmworkers have been drawn.

- **Institutional Law Project:** Offers legal advice and representation and legislative and administrative advocacy to institutionalized individuals in institutions across the state.
- **Regional Housing Legal Services:** Offers a variety of services to promote community and economic development benefitting low income people. Projects include the creation of affordable housing along with job opportunities and neighborhood improvement.
- **Pennsylvania Utility Law Project:** Provides information and advocacy on utility law. Issues include telephone or electric utility deregulation and its effect upon low-income Pennsylvanians, and advocacy on the Low Income Home Energy Assistance Program. Clients are advised of their rights regarding the myriad of utility related issues that arise.
- **Community Justice Project:** Offers advice, representation and legislative and administrative advocacy in a variety of areas. Selection of clients is less related to subject matter and more to the type of advocacy needed. Clients are often comprised of classes of people and the program sometimes seeks attorney fees as part of the relief sought.
- **Community Impact Legal Services:** Evolved from the state planning process in southeastern Pennsylvania where the need emerged for unrestricted legal aid. Offers advice, representation and community education in areas such as housing and consumer.

The second category of specialized legal aid providers includes those that are not funded through PLS or LSC, but which work collaboratively with legal aid programs. The number and variety of these specialized providers vary considerably among the regions, resulting in varying collaborative models. PLS is providing leadership to integrate these other legal aid service providers into the statewide justice community. For example, some of these programs have led substantive sessions at the annual statewide conference of legal aid advocates. Additionally, these specialized providers interact with the regional programs and other providers through the PLS web site. A strategy meeting regarding the web site was recently held in Philadelphia, including representatives from PLS-funded programs and from programs not funded by PLS.

Some of the programs that are not PLS-funded do not apply financial eligibility guidelines or the guidelines differ from those used by PLS and LSC funded programs. However, some of these programs target their services to low income residents. Some of these programs have either not sought to be included in the statewide network of programs, the opportunity has not arisen to add them, or their inclusion is not appropriate. It is anticipated that there will be a continued integration of the legal aid network of programs, especially including those specialized service programs that are not currently part of the PLS family of programs. Also, either through the enhancement of existing programs or through new programs, additional specialized resources need to be added to the statewide justice system. PLS, as well as local programs, can work to coordinate program operations and technology initiatives (such as web site resources) with various public interest programs across the state. PLS works closely with IOLTA and other funders of legal aid in Pennsylvania to ensure that our civil justice system is coordinated and efficient.

Although current funding levels in Pennsylvania do not allow full-access to justice, there is a healthy variety of sources of funding for the vital programs which currently form the PLS network. In 2001, the statewide PLS system was funded at about \$34 million, taking into account all sources of funding. Approximately \$7.65 million was from state funding and discretionary federal money appropriated by the state. Approximately \$10 million was from

LSC. Approximately \$5.5 million was from the Pennsylvania IOLTA program. Approximately \$10 million arose from a variety of local and special supporters, including United Ways, Foundations, City and County governments and other supporters. Accordingly, roughly one-third of funding comes from the state, one-third comes from Washington, and one-third from local sources. The types of legal problem-solving undertaken by legal aid programs is also varied. For the last fiscal year, the pie chart below displays this variety.

Family: 30,196 Clients

Legal problems include domestic violence, divorce and child custody.

Total: 72,276 Clients and Their Families Provided with Direct Legal Representation

Housing: 14,848 Clients

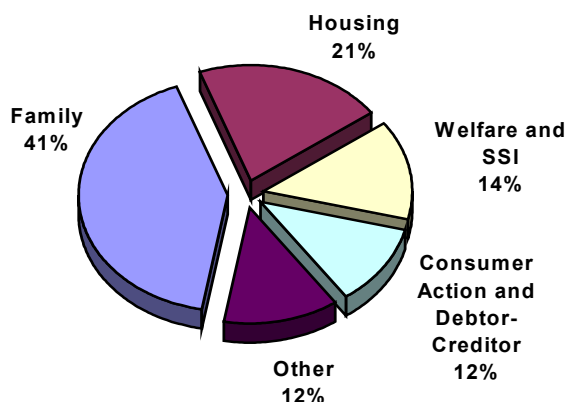
Legal problems include unlawful eviction, denial of access to public or government-subsidized housing, and illegal foreclosure.

Welfare and SSI: 9,928 Clients

Legal problems include eligibility for or termination of SSD (disability), SSI, unemployment compensation or public benefits.

Consumer Action and Debtor-Creditor: 8,313 Clients

Legal problems include illegal taking of property, wage garnishment, and fraudulent consumer practices.



The types of services offered by this array of legal aid programs vary. The single greatest increase in representation has been in the area of brief service. While five years ago, little was being offered by way of brief service, now much of the state has in place toll-free 800 numbers or convenient access points that can be called in order to access regional program intake and to access either brief services or appropriate referrals for more extended representation. Sometimes, a combination of these services is appropriate. While brief service cannot replace the sit-down attorney-client relationship that is often needed, this service delivery system presents a means of reaching many who would otherwise be denied services due to limited staffing.

Just comparing statistics from the fiscal year 1999-2000, when 13,228 cases were handled by brief telephone service (about 12.8% of total cases), to the current fiscal year, which will close with about 17,600 brief telephone service cases (about 17.8% of total cases), there has been a one-third increase in brief service cases in just two years.

II. IMPLEMENTATION OF INITIAL STATE PLANNING ACTIVITIES.

There are numerous ways that the action plans identified in the original state plan, *The Pennsylvania Agenda for Legal Services, 1998-2001* have been implemented. All of this effort is toward the goal of making the system of legal aid better and more accountable in areas of quality, efficiency and client access to services. Consider the following accomplishments, which are discussed in more detail below:

- Formalized ongoing commitment to coordinated and integrated service delivery.
- Increased focus on growing the resources for legal aid across regions and the state.
- Increased focus on the use of technology to provide more and better services to clients.
- Created a system of training and information-sharing to ensure high quality representation.
- Continued and enhanced means of assuring high quality and efficient service delivery.

A. Institutional Commitment of PLS to Continued Coordination and Implementation of Planning for the Statewide Justice System.

PLS has assumed the role of leading the continuing planning and implementation process, to assure that the statewide justice system becomes more accessible to clients and provides high quality, increased, and efficient services to clients. As such, PLS coordinates the planning advisory committees that provide input into the continuing statewide planning process. PLS also works closely with its own board and with the IOLTA program, the Pennsylvania Bar Association, local bar associations, the regional and specialized legal aid programs, other legal aid providers that deliver services in Pennsylvania, and other organizations providing related services and advocacy for clients, to assure that the planning process is truly an integrated and inclusive one, accounting for a whole range of views and service delivery models.

B. Resource Development.

The creation of the new position of Director of Resource Development signified major new undertakings by the statewide system of legal aid. It signified that there was a need to explore new and creative ways to expand the financial resources for PLS, in support of the statewide home of legal aid. It also reflected that there was a need for the various legal aid programs to coordinate their efforts; to learn from one another and from others with resource development expertise. Further, the creation of this position signified the need to strategize about how best to grow the system of legal aid. An important component of any endeavor at resource development has to do with marketing of the product. Therefore, this position, and the statewide coordination it oversees, helps bring about new ways of promoting and marketing support for the work of legal aid. There is more discussion below about this marketing, relating to the new Communications Initiative being undertaken in Pennsylvania. Each region has a resource developer and a resource development plan. Monthly conference calls occur, in order to keep all programs and PLS informed and coordinated on efforts underway and planned.

C. Training and Information.

The creation of the position of Training and Information Coordinator has helped the state significantly in its efforts to reinvigorate the statewide legal aid system with effective training and information-sharing enhancements.

The past two years have seen exciting, well attended annual statewide training events for legal aid staff. Another is planned for the upcoming year. These events present a challenge to sponsor, logistically and substantively. Feedback from legal aid staff indicate that they have

been well received and people look forward to future opportunities to network and share information.

The Fall 2001 statewide training included the launching of the statewide brief bank for legal aid advocates. This initiative was funded by the Pennsylvania Bar Insurance Fund. All advocates within the statewide system of legal aid now have access to this brief and information bank and many contribute to it. Through this electronic resource, accessible on the PLS web site, staff who encounter various legal issues can avoid the time consuming and duplicative work of researching issues which have already been researched by others. While labeled a brief bank, the content includes not only briefs but memoranda and other sources of material of value to advocates. Searches can be conducted by key words and an index.

PLS has also launched a web site intended for statewide coordination and information sharing. Development of the PLS web site and positioning of it as the state portal is an ongoing process. The primary areas of development have been the Brief and Information Bank and the Community Education sections of the site. The Community Education page of the site provides current information on issues of interest to the legal aid client community, with links to documents that provide information on a number of topics organized by subject matter.

The latest additions to these materials are links to new community education materials produced by the Pennsylvania Health Law Project on a number of topics. Other important links include the Pennsylvania Compass System, which allows users to apply for public benefits and social services online, and benefit check-up sites, run by the Social Security system and a consortium of federal agencies. Various Pennsylvania stakeholders have begun to work together to adopt a common template and develop an improved content coordination strategy.

The web site contains a client portal that provides clients program information, community education materials and greater access to pro se materials in a coordinated manner. PLS has also convened a statewide web development committee to develop a formal plan for the evolution of the state's web presence. An important component of the web development strategy calls for the incorporation of North Penn Legal Services' Family Law Help Desks into the statewide web site. The Family Law Help Desks create a partnership between legal aid organizations and courts for Family Law Help Desks. At the courthouse and elsewhere, pro se litigants will access an open web site repository or pro se manuals, commonly used forms, self-help information, and procedures in support, custody, divorce, and abuse cases. This statewide web site, with a client portal has its origins in our state plan, which calls upon the partners to market, grow, and build a statewide, integrated legal services system using the latest technology to enhance delivery systems and provide full access for thousands of low-income Pennsylvanians.

D. Technology.

There are many important technologically related endeavors now in the works, some of which were discussed immediately above.

Licensing for the Kemps intake and case management system has been purchased and is in the process of customization for use by all programs as a standardized means of serving clients statewide through internet technology.

During the current year, PLS offered all its legal aid programs an incentive for technology enhancements. \$200,000 was set aside as a dollar for dollar match to funds expended by programs on technology. To qualify for funding, programs were required to have an approved technology plan, consistent with the statewide technology plan, which drove this process and the content of these plans. The state now has a well designed infrastructure of

technology and plans for continuing upgrades and enhancements to best serve clients in innovative ways.

Future matching grants should be funded from time to time, even if this cannot be offered every year. Special sources of funding will be sought out for this purpose (with a likely source identified for next year). At the same time, PLS, working closely with the programs, must continue to update the statewide Technology Plan. This document is continually evolving, just as the hardware, software, and configurations of technological resources continue to evolve.

A number of the regional and specialty programs in the Pennsylvania statewide system offer 800 number access for clients. Telephones are staffed during all or most office hours of the programs. Clients are screened for eligibility by telephone and provided brief service or advice, if appropriate. Follow-up is also provided, through letters or pamphlets. If the client is in need of more comprehensive services, attorney or paralegal appointments are made through this contact.

E. Input and Analysis of Local Program Service Delivery.

In addition to the monitoring and evaluation undertaken by LSC for those programs that are LSC funded, PLS has in place its own system of evaluation and feedback and will continue to offer this in the future. On-site evaluations take place at programs on a rotating, scheduled basis. During these visits, the Controller of PLS evaluates the financial systems of the programs and assures that files are being properly opened, closed and maintained, according to funding source requirements. These visits also provide an important opportunity to give input to programs about areas that can be improved upon or developed and they present a good opportunity for PLS to learn about new and innovative activities underway at the regional and specialized programs.

Last year, PLS began to implement a series of “Desk Reviews” and “Our Story” Reports for programs. The Desk Reviews involve the development of a written document which announces for PLS and for each PLS-funded program the results each program produces in a range of subject areas, compared to national norms. Data is gathered from various documents submitted by the programs. This data is analyzed and portrayed in a report, so that programs and PLS can see how the program fares against national standards. An example of the type of information such a report portrays is the successfulness of a program’s local fundraising, in comparison to the overall budget of that program and in comparison to national norms.

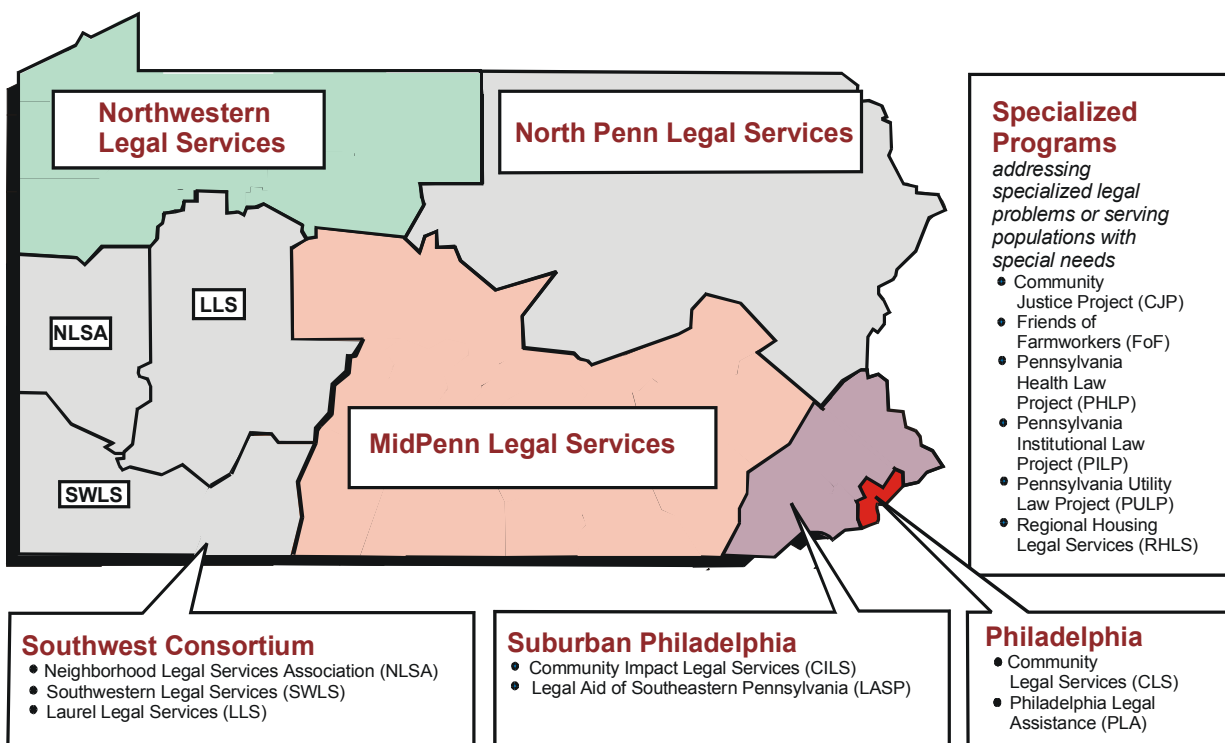
In addition to these comparative reports, data is gathered to publish a well-designed and informative report for use by the local program. Presenting a combination of narrative, data, and pictorial/graphical display of some of the data, “Our Story” Reports are used by local programs as annual reports or simply as reports to boards, funding sources, or to others about how well the program is doing at meeting the needs of clients.

III. NEXT STEPS AS AN ACTION PLAN FOR IMPROVEMENT OF THE STATEWIDE JUSTICE SYSTEM IN PENNSYLVANIA.

In many respects, it could be said that the first phase of the statewide plan, *Pennsylvania Agenda for Legal Services*, involved a look inward, to see how our system of legal aid could be changed and improved. This inward look has brought about momentous changes and improvements.

The State has:

- Completed a comprehensive restructuring of programs across the state. Where 19 programs existed, there are now 13. A picture of the statewide system is on the following page. This infrastructure formalizes a centralized organization to assure ongoing integrated and coordinated representation and access.



- Implemented an ongoing support structure, with annual statewide training to program advocates and support staff. Successful events have been offered in the past two years and another is planned for the upcoming year.
- Created and filled new positions at PLS, for coverage of development and communications, training, and technology.
- Restructured the board of PLS into a smaller, more action-oriented board.
- Hired a new Executive Director at PLS and filled other new positions, discussed in other sections of this report.

It is time to reaffirm our vision that every low-income person in Pennsylvania will have access to legal aid, no matter where they live. It is also time to focus outward; to improve upon our ability to effectively advocate for our clients and to be seen as an instrument of change and continuous improvement. In updating the *Statewide Agenda for Legal Services in Pennsylvania* for the years 2002-2005, the following important actions and improvements will be taking place:

A. Development of a Statewide Communications Plan.

Through studies coordinated by the National Legal Aid and Defenders Association and the Center for Law and Social Policy, we in legal aid have learned some important lessons about the work we do and how it is perceived by others. Among other points of interest, consider that:

- 89% of people support legal aid (“Do you agree or disagree that legal help for civil, non-criminal legal problems should be provided to low-income people who need it in this country?” Strongly Agree: 55%, Somewhat Agree: 34%)
- 82% of people believe that government should support legal aid (“There is a government program that helps to fund civil legal aid offices in communities across the United States. These legal aid offices provide lawyers and other staff to help low-income people, who are unable to pay, with civil, non-criminal legal matters. Given everything we must do in society, do you favor or oppose government funding civil legal aid offices?” Strongly Agree: 42%, Somewhat Agree: 40%).
- Only 13% of people know of their local legal services office and can name it.
- The general public understands better, and associates with the work we do, the term, “legal aid.” The term “legal services” is understood as having to do with all forms of lawyer services, not targeted to representation of low-income people.

These lessons, and others, along with information about how legal aid is perceived in Pennsylvania, will be gathered to form a statewide communications plan. This plan will include a statewide component, discussing what needs to be done in a centralized, coordinated way. It will also include a local component, discussing what each of the regional and specialty programs across the state need to do to improve its visibility and its message and how that relates to the statewide message. The firm of Douglas Gould and Company has been retained to assist the state in development of such a plan and to offer a training to various key individuals in how best to communicate their message. This has been made possible by the financial support of a broad range of contributors: PLS, the Pennsylvania IOLTA program, the Pennsylvania Project Directors Corporation, NLADA, and LSC. The results and process used in these efforts will be shared nationwide to assist other states in similar ventures.

B. Developing Effective Partnerships with Other Stakeholders.

The Pennsylvania IOLTA program has agreed to provide financial support to PLS to develop and enrich partnerships with other associations and groups having missions similar to our own or serving clients similar to our own. Examples of prime groups with which to partner include: Head Start programs, American Association of Retired Persons, Pennsylvania Coalition Against Domestic Violence, Pennsylvania Bar Association and local bar associations.

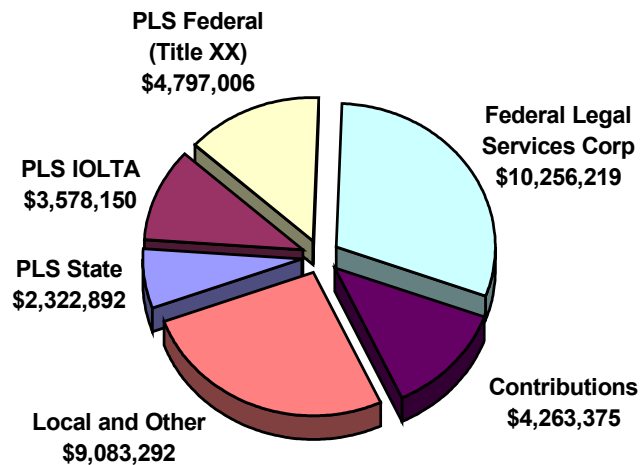
PLS will be able to use these funds to help underwrite specific projects that help bring legal aid together with our partners. Examples of things that might be financially supported are the convening of a statewide conference or training, involving individuals from the partnering organizations; sponsoring training components at events already planned by our partners; or underwriting experts or speakers who could appear at key events, to help promote partnering. While the funding for this endeavor is one-time, the partnerships are intended to be long-lasting and tasks can continue in the future to build and improve upon these and other partnerships.

Partnerships can and must be continually pursued and developed. These partnerships lead to better services for clients; better appreciation by the partnering organizations for the needs of legal aid clients; better appreciation by legal aid programs of the work of the partnering organizations; resource development; and joint advocacy efforts on issues impacting upon clients, programs benefitting clients, and issues impacting legal aid programs themselves. Already, there are efforts underway to establish and strengthen the bond that exists between legal aid programs and these organizations.

C. Expanding the Local Financial Resources Available to Support Legal Aid.

The approach to expansion of resources is a multi-pronged one. The need to expand resources is well-documented. The Pennsylvania Bar Association has convened two Task Forces to study the extent of unmet civil legal needs and to make recommendations about how best to meet these needs. Consistently, the Task Forces have found that only about 20% of the legal needs of low-income Pennsylvanians are being met through the combined efforts of legal aid and pro bono programs. The 1980 PBA Task Force observed there were 358 legal aid attorneys in Pennsylvania, or 2.13 for every 10,000 poor people (which at the time nearly met LSC’s “minimum access” goal of 2 lawyers per 10,000 poor people). This ratio is contrasted with the rest of the population, where there was a ratio of 28.25 attorneys per 10,000 people. There are now about 222 attorneys working in legal aid offices staffing the family of legal aid programs affiliated with PLS. This trend must be reversed.

As the chart below portrays, about one-third of the current funding to support legal aid in Pennsylvania comes from local, special, or private sources. The other core and primary sources of support include LSC, State Government, and the IOLTA program. Local support includes such entities as United Ways, foundations, local government, friends of legal services groups, and special government grants for specific projects that are not part of the statewide funding stream.



Creating a Director of Resource Development signified an expanded and renewed attention to the need to grow the legal aid system by the development of expanded financial resources. This includes a two-fold approach. On the one hand, the statewide system, through PLS, is seeking new or enhanced financial resources to help support the operations of PLS and to help grow our statewide system. On the other hand, many of the regional programs are devoting designated staff time to resource development and PLS is offering backup and coordination of these efforts. We also look to such supporters as the Pennsylvania Bar Association and the Pennsylvania Trial Lawyers Association for assistance in resource development.

It is important that our statewide system look closely at its success or lack of success at raising new sources of support statewide and throughout the regions. Some regions are growing their delivery systems, through new revenues; others are not enjoying this type of success. PLS is having more success in governmental than in private sector sources of support. To grow legal aid, it is essential that all segments of the statewide justice community join in efforts at increased marketing and a coordinated communications strategy. We can and should do better.

During the summer of 2002, there will be a conference convened, bringing together those involved in resource development from across the state, in order to agree upon shared and complimentary roles and rules of engagement, so that everyone involved in resource development for legal aid is able to view their role as part of a statewide plan, and not an endeavor that potentially places them in competition with other legal aid providers.

These combined efforts will result in increased resources supporting legal aid across the state. There is reason to be optimistic that from the private sector, from foundations, local governments, and United Ways, the Pennsylvania system of legal aid will be in a growth pattern.

D. Expanding Pro Bono Services.

Exciting things are taking place in this area. Much has been done within the state to cultivate existing and future lawyers to help achieve the statewide vision. The state has nearly 40,800 licensed attorneys. The Task Force of the Pennsylvania Bar Association estimates that about 15% of these attorneys volunteered on a pro bono basis during 1999, by taking a case for representation, conducting a clinic for low-income people, serving as the “attorney of the day,” or providing other services in support of client representation. The PBA Task Force had asked the Supreme Court of Pennsylvania to help increase the level of pro bono volunteers by seeking ways to help fund the necessary infrastructure for organized county-based efforts.

The commitment of the Pennsylvania Bar Association to growth and enhancement of pro bono representation is strong. The PBA has created and filled a new position, Pro Bono Coordinator. This person works very closely with PLS and with legal aid programs across the state, as well as with local bar associations. He travels the state, providing technical assistance and helping to create or enhance the dialogue between local attorneys and legal aid programs about how best to improve upon systems for delivering pro bono services.

Adding to this process is the opportunity for attorneys to make a \$50 voluntary contribution to support the development of organized county-based pro bono programs as part of the annual renewal of their license. In May 2001, when the Disciplinary Board of the Supreme Court of Pennsylvania mailed the annual fee form to attorneys, the Chief Justice appealed to attorneys to make a \$50 contribution to support pro bono efforts, resulting in nearly \$100,000. These funds are directed to the Pennsylvania IOLTA Program and are competitively awarded to bar associations and regional legal aid programs to help start and enhance local pro bono efforts.

Although discussed further in the technology section of this report, it is important to mention that PLS has recently submitted a proposal to LSC for enhancement of its statewide web site. In the near future, new opportunities for the success of pro bono will be a part of the web site. Attorneys will be able to access local volunteer opportunities. Clients will be able to link up with those attorneys. Volunteer lawyers will be able to access various resources available to legal aid lawyers, such as the statewide brief and information bank.

It will be important to continue to emphasize the importance of pro bono services to the array of efforts that help provide legal representation and advice to those with nowhere else to turn. This means in the future, the statewide system of legal aid programs needs to:

- Continue to work closely with the PBA and their Pro Bono Coordinator, as well as the PBA’s Equal Justice Committee.
- Continue to work closely with local attorneys and bar associations to improve and grow pro bono opportunities and service delivery systems.
- Support the annual voluntary contribution to pro bono systems which attorneys are asked to make when they renew their licenses.
- Upgrade and refine the statewide web site in order for volunteer lawyers to be able to link up with one another and with clients in need and in order for these volunteers to have access to research and resource tools available to legal aid lawyers.

E. Expanding the Governmental Sources of Support for Legal Aid.

According to information provided by the American Bar Association’s PERLS project, Pennsylvania was one of the first states to obtain state funding for legal aid. Yet, over the years we have not seen growth in this funding stream and state funding to legal aid is less than it was twenty years ago even before adjusting for inflation. When adjusted for inflation, current state funding places us at about one-third of where we were then.

Attachment 1 portrays a history of state funding for legal aid in Pennsylvania since 1979. Because the state allocates both a state appropriation and federal social services block grant funds, both these sources are displayed in the chart. The chart reveals that, adjusting for inflation, we are at about one-fourth where we were twenty-three years ago and we are behind, even without an inflation adjustment. We must learn several lessons from the data revealed in this chart. Among the lessons to be learned are:

- In one year, state funding was completely eliminated by the state. This cut in vital funding had to do with a number of political factors that have been and still need to be further addressed through careful coordination and communication with leaders in state government, including the Governor’s office and the General Assembly. PLS has taken the lead in facilitating this important communications and coordination effort.

- The system of legal aid in Pennsylvania must improve communicating its purpose and the impact it has on the lives of low-income Pennsylvanians. The development of a communications strategy is an important step in this direction. The recent publication and dissemination of a statewide annual report is another important step.
- One-on-one, coordinated contacts need to be made continually with state officials. The Governor needs to know, and members of the Pennsylvania General Assembly need to know, on a continuing basis, what it is they are purchasing by funding legal aid, what outcomes and impact the funding has produced, and why they need to do more.

The good news is that some major strides are being made in the directions set forth above. Despite the fact that Pennsylvania currently faces a more than one billion dollar deficit due to the sluggish economy, the budget now pending before the General Assembly would see a one-time two million dollar increase in funding to legal aid. There is still a very difficult political process ahead before a budget is adopted by the end of June 2002 and readers should not assume the outcome. The efforts involved in promoting this budget initiative must continue and be enhanced in the future. If successful, this funding initiative will result in “systems improvement” money to implement technology and related enhancements for improvement of service delivery. Not since the inception of state funding for legal aid, has Pennsylvania seen a proposed increase, albeit one-time, of this magnitude.

There is a separate legislative initiative currently underway in Pennsylvania. The *Access to Justice Act* was introduced in the Pennsylvania House on January 31, 2002, by 114 cosponsors; a majority of the House. If enacted, this Bill would impose a modest filing fee surcharge (\$4 to \$5) to help support legal aid. If this initiative becomes law, it would generate approximately \$7 million per year. The Governor of Pennsylvania is known to support the Bill. It has passed the House on a vote of 189 - 8 and there is strong support in the Senate. The future of this legislation hinges upon the uncertainties of the political process but there is reason to be optimistic.

In the future of the statewide system of legal aid in Pennsylvania, there is reason to be hopeful of successes of the type described above. Success depends upon communicating well our vision, our mission and our purpose, as well as our accomplishments, which are many and which are impressive. Success depends upon approaching funding initiatives in a cooperative, non-competitive manner from within our family of programs. Success also depends upon the establishment of strong partnerships with organizations having missions similar to our own. These partnerships can accomplish much by improving of the lives of our clients. They can also serve well the parties to the partnerships, who agree to work with one another to promote and grow the programs themselves. The success so far of the *Access to Justice Act* is a tribute to the hard work by a number of players. Significantly, it is a tribute to the partnership that is growing and improving between Pennsylvania Legal Services and the Pennsylvania Bar Association.

In addition to the need to generally expand governmental support of legal aid, it is essential that the statewide system look at and plan for funded programs to address the areas of loan forgiveness, pensions, and salaries in general.

The average starting salary of a legal aid attorney in Pennsylvania is \$27,000. This level of compensation makes it difficult if not impossible for many law graduates to consider a legal aid career. A recent statewide study revealed startling results. One legal aid attorney worked out an arrangement with the loan holder to pay interest only, due to the large percentage of salary even an interest payment would represent. This person could not look forward to ever paying off her debt and will be forced at some point to look to other career opportunities. Other lawyers were paying extraordinarily high percentages of their salaries on school debt. These results only include those who chose a career in legal aid, a path many have found they could not consider. This study revealed the following, from the voluntary reporting of data:

- The 63 attorneys employed by legal aid programs with less than five years in practice carried an average student loan debt of \$84,500, an average monthly payment of \$820, and an average annual salary of \$27,300. The cost of subsidizing the loan burden of each of these attorneys, if the subsidy were to apply to any amounts in excess of 10% of the employee's salary, would be \$447,300 annually.
- For the 22 attorneys with five to ten years in the profession, the average debt was \$74,000; the average monthly payment was \$700; the average salary was \$33,200; and the cost to assist these lawyers above 10% of their salary was \$110,000 annually.

- For the 32 attorneys with ten to fifteen years in the profession, the average debt was \$23,000; the average monthly payment was \$550; the average salary was \$36,000; and the cost to assist these lawyers above 10% of their salary was \$96,000 annually.
- The statewide cost to subsidize loan debt at the level above 10% of salary totals \$653,300.

The solution to this problem must be multi-pronged. Local legal aid programs must look at their salaries and determine whether they meet minimal standards; some do not. These local programs must also look to the question of whether they can implement a system of loan forgiveness, or assistance in the payment of law school debts for qualifying staff. Law schools and financial aid providers must look at their own abilities to help provide financial assistance, in the form of loan forgiveness, to those who choose a career in legal aid. New resources must be developed in order to provide financial resources to fund loan forgiveness programs.

Legal aid programs should ensure that salaries are on par with government and other public interest organizations. Many legal aid programs that overcome the recruitment dilemma caused by excessive law school debt are still plagued by high turnover of attorneys with 3-5 years of experience who face different financial obstacles such as home ownership, aging parents, etc.

At the other end of this spectrum are those staff who have devoted a career to legal aid and whose only retirement picture is social security and whatever amounts the person has been able to save individually. Again, this requires a partnership approach. Local programs that are not already doing so must look to means of helping to fund some form of retirement benefit. Statewide, PLS must explore whether there are existing statewide retirement plans that legal aid employees can access. Some statewide programs have had success along this line. Finally, statewide resources must be pursued to help fund this need.

F. Expanding the Role of Law Groups in the Framework of Legal Aid Work.

Prior to the 1998 planning process, Pennsylvania had what were referred to as Task Forces in various substantive areas. These Task Forces had memberships that included legal aid advocates, clients, and advocates of various organizations. Some Task Forces were very active and highly organized; others met as the need required. While the missions of the Task Forces varied, each primarily served as an information sharing forum, and in some instances, as a platform from which advocacy efforts were launched on issues affecting many clients. Because the Task Forces were loosely organized and their meetings not well financed, they were largely restructured (although not completely) during the 1998 planning process, into Law Groups. Law Groups have memberships that include legal aid advocates and have missions that are directed to the sharing of information, providing of training, and increasing coordination among legal aid advocates region-wide, and statewide. While many of the Task Forces continue to exist in name, for the most part (with some exceptions), they have become completely dormant. The last statewide planning activity announced a transformation of the Task Forces into Law Groups. Law Groups currently exist in six specific subject areas (consumer, disability, employment, family, housing and community development, and welfare (income maintenance)) and Task Forces exist in some of these and other subject areas. Specifically the Law Groups:

- Develop and deliver effective training programs in their respective practice areas.
- Review major litigation, appeals, and major policy initiatives.
- Make specialists available to provide telephone advice, information and mentoring to individual attorneys upon request.
- Organize and publish (web site) up-to-date information on the state of the law in the practice area.
- Help facilitate new lawyer training in the practice area.

However, the need continues to exist for bringing an expanded community of stakeholders together along substantive areas. Regulations, legal decisions, and laws affecting large numbers of clients continue to be announced daily. Often legislators and policymakers seek information and input from potentially affected persons. Additionally, there must be a means by which consistent advocacy and, if necessary, litigation strategies, can be developed on issues affecting large numbers of clients. As a result of the continued need for structured communication with clients and other organizations that serve them, these additional purposes will be added to the missions of the existing Law Groups.

Law Groups will be asked to expand their memberships to include clients and organizations serving clients with an interest in their substantive areas, and to expand their agendas to include periodic face-to-face meeting(s) and training events relevant to clients and advocates. They will be charged to develop and implement client involvement plans. This, however, does not mean that all Law Groups will be expected to expand their missions, or for those that do expand, that all of their activities must involve the expanded memberships.

Financial constraints and attention to the extended merger and consolidation process of the regional programs has not permitted us to fully develop the groups' potentials. However, there remains a strong commitment to the principles previously expressed regarding the expansion of the role these groups can play in providing high quality representation to poor people.

To avoid confusion, the system of these subject area working groups will now be referred to as Law Groups. The term Task Force, suggesting a short term activity, will be replaced with this term. Entities that now exist as Task Forces (e.g., utility) will now be known as Law Groups. We will continue to encourage and support the development of Law Groups as the primary medium for accomplishing these goals. When appropriate, we will support the formation of new Law Groups to address issues that arise requiring consultation and concerted action among legal advocates, with client groups and other advocacy groups. The Law Groups that are not currently active will be reinvigorated. PLS needs to lead the way toward the revival and continued success of the advocate support and collaborative role played by the Law Groups. Law Groups are seen as a way to develop consistent strategies for addressing problems facing our clients – developing both advocacy strategies and where appropriate, litigation strategies.

Each Law Group has its own individual character. Consider, for example, that some Law Groups are led by specialty legal aid programs that are highly familiar with the subject area and some Law Groups rely upon people associated with the regional programs and may work in a number of subject areas. This type of variety is healthy and should be encouraged. The statewide justice system does not need a one-size-fits-all definition of the Law Group structure. However, there are certain core values that must be reflected in the work and makeup of the Law Groups:

- Law Groups should continue to center around the core subject areas of work undertaken by legal aid programs. While the following list is not exhaustive, it should be considered a starting point: housing; family; utility; welfare (income maintenance); employment; consumer; disability; health; and institutional.
- Some Law Groups may operate on two levels. On the one hand, there is a need for legal aid attorneys and paralegals to communicate with one another on legal strategies and specific legal issues. Each group of advocates also needs to be involved in meaningful reviews of major litigation or policy initiatives which advocates are considering, before any action is taken. Each regional program will designate a contact person for each Law Group. On the other hand, clients and other advocates need to be involved.
- In addition, each Law Group should include regular meetings of staff from the various legal aid programs across the state, along with advocates from related organizations, as well as clients. For example, the Family Law Group must have periodic meetings which include representatives from the Pennsylvania Coalition Against Domestic Violence. The Consumer Law Group must meet periodically with people involved in consumer advocacy groups. The Employment Law Group must include advocates for the unemployed. This reaching of a hand outward is a way for all participants to learn from one another. It is also a way to add reach to goals established by the Law Groups. If, for example, the Family Law Group were to conclude that an amendment to the Protection from Abuse Act was needed, the expanded membership would be an effective group to accomplish such a goal.
- Each Law Group should have a plan devised for meaningful client involvement, especially in the periodic meetings that will include legal aid staff, representatives of other groups and clients. This signifies, in a real sense, the partnership that exists and should be promoted, between the work of legal aid staff and the clients we represent. It also emphasizes the client-centeredness of our statewide system of legal aid. Also, client groups as a whole will benefit from the information-sharing and efficiencies generated from the Law Groups.

- The Law Groups should each meet at least annually, preferably at twice annually.
- Coordination of the Law Groups will be dispersed. To the extent that people in the state are already charged with leading in certain areas, those people should be conveners, or at least major forces behind the activities of the Law Groups. Each of the specialized legal aid programs that corresponds to a Law Group should fill this role. To the extent that legal aid programs are funded to provide specialized services in the state (for example, Community Legal Services in the consumer and government benefits areas), these programs should fill this role.
- The Law Groups will be supported in their efforts by PLS, through the Support Team. The PLS Training and Information Facilitator will be the primary staff liaison. The Groups are intended to be self-governing, but it is expected that specialty programs, and other specialized staff, where they exist, will take a leadership role in the operation of relevant Groups, thereby taking advantage of the existing networks and structures that are already in place. In addition, several regional programs have now replicated the Law Group concept and have formed regional “Law Groups” to address substantive issues particular to their region. Information is then shared statewide through each region’s lead advocate for the appropriate Law Group.
- Where needed, PLS should provide the logistical support for the convening of Law Group meetings and the dissemination of materials to Law Group members. PLS should also help to underwrite the expenses of Law Group meetings, including meeting space (hopefully, most meetings can be at PLS or in other no-cost space), meal costs, and at least a portion of client travel costs. The human and financial resources available to help pay these costs are limited. It may not be realistic for all Law Groups to immediately start up and expect this level of support. However, the statewide system must establish this goal and work to achieve the goal as quickly as feasible.

G. Review of the Rev. Martin Luther King, Jr. Internship Program.

For over ten years, with the support of IOLTA funding, PLS has sponsored an innovative program; the Rev. Martin Luther King, Jr. Internship Program. The vision is to generate interest of minority law students to join legal aid. Under this program, fifteen to twenty student interns are offered paid summer placements at legal aid offices. These interns work closely with attorneys and other staff. The summer includes a two-day training event and a recognition banquet, celebrating the program and the good work of these students.

Despite the many successes of this program, the fact is that presently very few of these interns have found their way into work at legal aid programs in Pennsylvania (although many are in public interest jobs). At the same time, while engaged in summer internships, these students performed important advocacy that benefitted clients and they took with them skills and life experiences that will never be forgotten. Sample literature from this program is found at Attachment 2, displaying some of the offerings of the program and the views of students.

In order to best assess how effective this program is, and whether its effectiveness can be improved, PLS will undertake a review of the program and make recommendations for improvement. This review will include input from a broad cross-section of people who can help assess how the program has performed and how it can be improved.

One point must be emphasized. The Rev. Martin Luther King, Jr. Internship Program will continue. This is not an effort to assess the desirability of having such a program. Rather, the inquiry is to determine whether the program might be reshaped to better accomplish its goals.

H. Continuing to Improve upon the Technological Capacity of Legal Aid Programs.

Pennsylvania has in place a statewide technology plan. In the present fiscal year, PLS was able to offer \$200,000 of matching funds to legal aid programs across the state to help them achieve the goals of this plan. Each program designed its internal plan, consistent with the goals and expectations of the statewide plan and each program could then receive matching funds for achievement of its plan. The statewide and local plans all envision a continuing need to upgrade computers, software, and the technology related to effective uses of computers. Investment in technology must continue and must be done smartly to improve client access to services and program quality. To the extent PLS can continue to offer matching funds, this should be done (part of the \$2 million proposed in the state budget would allow for another matching grant

round). Also, regional trainings on the uses of technology are occurring. Through a special IOLTA grant, PLS is able to devote financial resources to these regional trainings.

The statewide system has progressed a long way toward the vision expressed in past planning documents. The goals of **connectivity**, with a desktop computer on each staff person's desk and access to the internet; of **collaboration**, through use of conferencing, e-mails, Listservs and the like; of **productivity**, with electronic access to a whole range of legal tools and software; of **access to knowledge**, rendering our knowledge base accessible to advocates and clients; of **service integration**, rendering our statewide system virtually integrated, through technology; and of **high utilization through training**, involving an ongoing commitment to training in the use of and management of technology have largely been accomplished.

The statewide system must continue to explore and develop ways in which client goals can be achieved through effective uses of technology. The sit-down communication between an attorney or paralegal and client is irreplaceable as a means of best advising and representing most clients of legal aid. But we are only meeting 20% of the need. Thousands of potential clients are denied services every year; some don't know who to ask for help. We can use technology as a means of reaching many who are currently not served or are under-served and we are already doing this in parts of the state. Through effective use of centralized brief services and advice systems, using 800 telephone lines and helpful software, many more can be reached. Pennsylvania has made significant progress towards creating a delivery network that maximizes client access, efficient delivery, and high quality assistance. The state planners developed and embraced eleven touchstones for Intake, Advice & Referral systems that would guide the evolution of our intake systems into an integrated statewide system. The touchstones also launched ongoing dialogue and continued systems development of statewide standards for regional intake systems. The Intake and Advice advisory committee recently completed a statewide survey of the status of regional intake, referral and brief services systems. Pennsylvania has made remarkable progress toward making the vision of equal access to justice for all Pennsylvanians a reality. We recognize much work remains to be done in the development and expansion of integrated intake systems. Attachment 3 offers a composite summary of current status of regional intake systems, along with a portrayal of program status in an array of statewide planning and coordination activities.

The work to date of the statewide advisory committee on Intake, Referral and Brief Advice systems has developed minimal standards or "touchstones" of regional intake systems. Regions are charged with the implementation of these standards as well as adopting the characteristics of Telephone Intake, Advice, and Referral Systems set forth by LSC in Program Letter 02-4. We must work together as a state to identify new revenue sources to overcome any financial barriers impeding full implementation. A key component of the work plan for regional intake systems calls for the deployment of Kemps CaseWorks as the common case management system, enabling us to substantially increase access to legal aid for low income Pennsylvanians by:

- Facilitating the development of advocacy pathways and intake protocols.
- Increasing the efficiency of case management through web-based access to forms and advocacy tools.
- Providing advocates access to the client intake systems and client database information from remote locations.
- Developing and customizing educational information, available in multiple languages to assist the growing population with limited English speaking proficiency.

Through well-designed pro se systems, available on the internet, low-income people can be assisted in meaningful ways. Through continued improvements of the PLS site, effective models for coordination of pro bono programs can be created and enhanced. We envision that ultimately, the web site will allow lawyers statewide to access pro bono opportunities, by subject area and by geographic setting. Some of this will be possible through the PLS web site itself and some of it will occur through links to other web sites.

Pennsylvania recently adopted a strategy that will transform the current web sites in the state and build an integrated, comprehensive statewide web site using one of the two statewide model templates endorsed by LSC, in order to improve and increase access by low-income Pennsylvanians to basic legal information, legal assistance, and social services, and to facilitate pro bono representation by the private bar. The expanded web site builds on our successes to date and will provide significant benefits to legal advocates and the low-income client

community in an integrated way that dramatically increases the amount and quality of free legal aid available. This effort has the broad support of various stakeholders in Pennsylvania's statewide justice community and will serve as Pennsylvania's "proof of concept" to use client-centered technology systemwide, to further integrate the statewide system, improve efficiencies, and expand service delivery capabilities. The draft of the web development plan is attached as Attachment 4.

Pro se materials will be developed by substantive category (starting with family) by the Law Groups with subject matter expertise. These will be housed on the client portal of the statewide web site. We will take a proactive approach in marketing our web site to our various partners and new collaborators throughout the state, who serve similar client communities. Current stakeholders in the project include PLS, the Pennsylvania Bar Association, the Philadelphia Bar Foundation, the Clients Council of Pennsylvania, Philadelphia and Pennsylvania Welfare Rights, the Pennsylvania Project Directors' Corporation, Pennsylvania IOLTA, and the numerous legal aid and pro bono programs throughout the state.

This technology presents a means of helping legal aid program staff do their work more efficiently. They can access the brief bank, which was recently launched and needs to continue to grow. They can perform client intake and conflict checks more quickly. They can provide brief services and telephone advice when a face-to-face meeting is not needed.

I. Continuing to Integrate the Specialty Programs into the Statewide System of Legal Aid.

The wide range of valuable advocacy that the various specialty programs offer clients and legal aid providers who represent clients is described above. The need to continue the excellent work of these programs; to look to ways of expanding into other specialty subjects; and to reach other populations with different access needs are undeniable (as is the need to expand resources available to the census based programs).

Important planning needs to take place in order to best utilize the resources of these specialty programs. The PLS board has appointed a committee to work on this subject area. The challenges ahead have to do not only with the advocacy of these programs but the commitment of the census based local programs to assure that these resources are well-integrated into services in local communities. The planning process that needs now to be undertaken, with next steps identified and implemented, includes a review of the following questions:

- Are the purposes and descriptions of these specialty programs well disseminated and well known to staff of local programs?
- Is there good communication between specialty and local programs to assure the specialty program services are being made available where and when needed?
- Does the priority-setting process of these specialty programs include good communication with local programs?
- Is there a need to expand the substantive areas of law covered by the specialty programs or to redesign the way in which current services are delivered?
- Have local programs identified people within their staff who work with specialty programs to bring these statewide resources home to the local community?
- Is there a common understanding of what it is that LSC-funded programs can and cannot do, consistent with the funding restrictions that apply to them? Some staff assume they cannot undertake certain efforts, due to funding restrictions, while in fact, there may not be restrictions that preclude the work in question.

J. PLS Must Continue to Play a Leadership Role in the Statewide System of Legal Aid and in the Accomplishment of the Above Challenges.

Many of the challenges described above involve close partnerships among many players, including local legal aid programs, funding sources, the Pennsylvania Bar Association, local bar associations, and others. To assure that the challenges are addressed and goals are accomplished, PLS, through its Executive Director and its Director of Resource Development, must help to guide and lead this continuing, evolving planning process. The President of the PLS Board, the Chairs of the Board Committees, and the Executive Directors and Resource Directors of the various legal aid programs also have leadership rolls to play in the implementation of the state planning process. Leadership exists at various locations in our community and must be encouraged and cultivated where it exists. As a part of the planning process, the various statewide advisory committees must continue to do their work and must work closely with PLS

to articulate their plans and accomplishments. Next steps must be thought through and taken, in order for the entire system to move forward. These advisory committees include a good cross section of staff and clients. Some also include PLS Board representation. The following is a listing of the various statewide advisory committees, along with a brief description of the function of each committee. Each has a chair and membership, working in the following subject areas:

- **Intake and Delivery:** This is a short-term advisory committee with a deadline and time frame to complete its responsibilities. The report it previously issued needs to be reviewed and an implementation/action plan developed by each region in the state. Membership on this committee should continue to include each region and clients. The committee should oversee the development of regional intake, referral and brief service systems.
- **Technology:** This is a permanent advisory committee to the PLS Board, working closely with PLS Technology Coordinator and technology representatives from each of the programs to design and implement new ideas for the use of technology.
- **Training:** This is a permanent advisory committee to the PLS Board that works closely with the PLS Training & Information Facilitator. The committee should include staff who have not been involved before in statewide planning efforts by asking that each of the six regions appoint someone members.
- **Development:** This is a permanent advisory committee to the PLS Board, with a rolling three year plan regarding resource development issues. To the extent this committee involves legislative and other government contacts, it works closely with the Executive Director of PLS. This committee will also address the subjects of salary scales, pay equity, and law school debt issues. It should work with the PLS Government Affairs Committee on these subjects and on issues requiring an approach to government.
- **Law Schools:** This is a permanent advisory committee to the PLS Board. Pennsylvania's seven law schools, through IOLTA sponsored clinical and internship programs, participate collaboratively with poverty law offices, not only in the geographical areas in which the law schools are located, but also statewide, through summer law student placements as the civil legal aid provider organizations. In addition to providing practical representational opportunities to the students, under the watchful eyes of experienced poverty law practitioners, each school also has established a pro bono program, often operated in close cooperation with the regional legal aid program near it.

Vital partnerships exist and others must be further developed between law schools and the legal aid system. Many law schools offer clinical programs. Collaborative planning will result in a well-integrated system of services between the local legal aid program and law schools. Schools have the ability to address the student loan problem described above, and some schools are doing so. Some schools offer internships which result in the placement of students in legal aid offices. Law school faculty and legal educational programs represent key resources to the legal aid community. As we continue to look to innovative ways of training legal aid lawyers, law schools are providing new opportunities. Some law schools have implemented pro bono incentives for law students, encouraging them to undertake public interest work while still in law school. This exposure to public interest legal work can provide career-influencing work experience for students. Legal aid programs must work with schools to help create more opportunities and programs that address this subject. A whole range of opportunities can be created by law schools to help encourage students to consider careers in legal aid, or at least in public service work. This range includes the courses, practicums, seminars, clinics, externships and other opportunities made available to students during the course of their law school careers. Further, law school faculty can participate in the statewide Law Groups.

IV. CONCLUSION

A. Questions Posed in the Program Letter.

The LSC program letter sets forth a series of questions. Most have been addressed in the discussion above. Following is a specific response to the questions posed by LSC.

1. A Comprehensive, Integrated Client-Centered Legal Aid Delivery System Has Largely Been Achieved in Pennsylvania, with Plans in Place to Advance Pennsylvania Further Down this Road.

A. Pennsylvania Is Client-Centered: The Pennsylvania system of legal aid has made great strides in accomplishing a client-centered delivery system, with plans in place for further improvement. Legal aid services are available across the state, through a well-designed web of regional and specialized programs, in partnership with pro bono programs and other public interest and private bar initiatives. Through this integrated system, all types of legal problems clients face can be resolved (although, obviously, there continues to be a shortage of sufficient staff to meet all client requests). This statewide system continues to make great strides at overcoming client barriers, including language, physical accessibility (for instance, homebound clients), and special client characteristics, as with farmworkers and the institutionalized.

B. Pennsylvania Is Integrated: The statewide system is an integrated one. Central points of contact exist for clients at toll-free numbers for each of the regional programs and a web site allows clients, advocates and the general public to access the legal aid system, where they can also move to other web sites relevant to client needs, including individual legal aid program web sites. The briefbank and the various listserves that exist for advocate information and communication help tremendously to integrate the statewide system. These various central points of contact include access to client services and pro bono opportunities.

Partnerships with local bar associations and with the Pennsylvania Bar Association help to integrate pro bono resources into the statewide system. The Supreme Court recently undertook an initiative in which they encouraged lawyers to contribute \$50 along with the license renewal, to help support pro bono efforts, generating about \$100,000. The distribution of these funds, to revitalize pro bono programs, was carefully coordinated between the PBA, the IOLTA program which administered these funds, and legal aid programs.

Law Groups also play a very important role in the integration of legal aid; sharing information, mentoring, offering training, review of appeals, and the like.

There are a number of important issues impacting upon low income people in Pennsylvania. Many of these issues are addressed through local legal aid offices, providing a range of services to clients who contact these offices. The range of problems is portrayed in the pie chart set forth earlier in this report. The specialized programs in Pennsylvania also address special need areas of client concern, discussed in the section on specialty projects.

An important step toward further addressing needs of low income Pennsylvanians and toward the client-centeredness of service delivery is the reinvigoration of the statewide Law Groups. These Law Groups address subject areas of special concern to low income Pennsylvanians. Clients are actively involved. They include in their mission, communication among legal aid program staff and staff of affiliated programs, as well as clients who can help voice concerns and form solutions in the subject areas discussed.

The client-centeredness of legal aid is also reflected in the fact that clients are found on the governing boards of all legal aid programs, as well as the board of PLS. Every program has adopted a client involvement plan and there exists a statewide client involvement committee, with plans in place to bring together clients on a quarterly basis so they can meet and discuss client-centered issues. The rotation of clients into this statewide committee process serves as a resource for appointment of clients to the various Department of Public Welfare statewide advisory committees. There are regional client meetings and trainings that take place on a regularly scheduled basis, allowing for training on a variety of issues, such as utility and health. The Northwestern Legal Services program has demonstrated local cable programming access, so that it can directly reach clients by television. This program has developed videos on numerous subjects of interest to clients. These videos are available to clients through multiple avenues.

Clients are also involved in priority setting committees of the regional and specialty legal aid programs. It is noteworthy that across the state, programs have reached out to clients to assure accessibility of legal aid at odd hours and under unusual circumstances. Community Legal Services recently experimented with expanded “after five” hours to assist clients. Laurel Legal Services makes home visits for clients with special physical needs. Client empowerment is further achieved through some of the technology driven initiatives underway. Community educational materials and self-help materials are available on the PLS web site.

The components of the delivery system of legal aid in Pennsylvania are several. The first stopping point is the system of regional programs with offices across the state that provide direct services to clients in every county of the state. Whether a client faces a threat of domestic violence, an eviction, a need for government assistance, or any one of a whole range of other problems, legal aid programs are there to help.

Specialty programs help in the various areas that require specific attention. These programs are sometimes able to assist clients directly and at times able to assist local programs, which in turn represent the individual client. The primary benefit of these specialized programs is that they enable staff to focus their energies and expertise on certain subject areas that cannot be addressed with the limited resources or funding restrictions faced by local programs. Extended service is sometimes offered through these programs, to provide legislative and administrative advocacy and class action representation, where appropriate.

PLS is an important component of the statewide delivery system. While on the one hand it represents a funding source for legal aid programs, it also adds value to the system in the areas of state planning, resource development, technology, training, evaluations, “Desk Reviews” and “Our Story” Reports, and other areas of systems improvement and technical assistance.

Other funding sources are an important part of the service delivery system. LSC, IOLTA, state government, and local sources of revenue provide financial support to the system of legal aid. These sources each have their own expectations and restrictions that apply to funding, which encourage programs in certain directions and which restrict programs from other directions.

C. Pennsylvania Delivers Effective, High-Quality Services and Assesses the Quality of Services: There are several ways in which the statewide system is able to assess performance. As discussed above, the Controller of PLS conducts performance appraisals at all of the PLS-funded programs on a rotational basis. These appraisals include a review to assure compliance with accounting standards and funding source standards. The review includes an assessment of whether programs are opening and maintaining client files as required. Of course, these efforts are supplemented by the formal audit undertaken at each of the programs.

As discussed above, the “Desk Reviews” are conducted for each program, also on a rotational basis. Here, PLS and each of the programs are able to see how they fare against national norms, in measurable subject areas such as quantity of services, quality of services, adequacy of supervision and management, fundraising, pro bono, and client satisfaction. These reports, accompanied by “Our Story” reports, present valuable information about the content and adequacy of services provided by programs.

On occasion, the results of these reviews or grievances demonstrate that special attention is warranted. When this occurs, PLS develops an appropriate response, which might include sending in a team to assess the situation and make recommendations. Such a process occurred three years ago with one PLS-funded program and such a process is currently underway.

Client grievances are also screened and acted upon by the Executive Director of PLS.

D. Pennsylvania Equitably Distributes Legal Aid: The equitable distribution of services across the state is an important challenge that Pennsylvania is striving to meet. Local programs are funded according to the count of poor people and this funding is redistributed from time to time, according to changes in census data. Because new poverty population by county is just about to become available, this review is about to take place.

The specialized programs are expected as a part of their service delivery to provide services across the state and for the most part, they do just that. Many of these programs have multiple offices, in order to help assure a statewide presence.

Special funding initiatives sponsored by PLS, whether having to do with one-time initiatives, such as the “Systems Improvement” funds or longer-range goals, such as the “Access to Justice Act” all envision statewide funding distribution formulae in order to assure equitable distribution of funding and services.

The use of technology is another means of helping assure equitable distribution of services. Through telephone intake and brief services, pro se materials, or other web site services like the brief and information bank and the listserv, client services are distributed across the state.

An element of services discussed in this report is in the area of pro bono representation. Through the commitment of the Pennsylvania Bar Association, great strides are being made to help assure pro bono services across the state. The \$100,000 funding initiative has been targeted to more rural counties where there is a greater need for development of pro bono services.

As illustrated above, even though the sources of funding to legal aid are not always equitably distributed, as some of the local sources of support can vary greatly, there are many ways in which Pennsylvania is succeeding at distributing services equitably across the state.

Technology is employed to provide increased access and enhanced services to clients. Some of the ways in which this occurs have just been described, as have some of the exciting new initiatives now being planned.

E. Resources to Support Legal Aid Are Expected to Expand: The statewide system of legal aid has expanded resources and is actively working on further expansion. On the IOLTA front, expansion of resources occurred when some banks agreed to restructure fees and interest rates to increase output for legal aid. With interest rates now down, IOLTA funding is down, but is expected to stabilize at a higher rate in the near future.

Exciting new initiatives are now underway, as described above, in hopes of improved state funding to legal aid, through one time budgetary increases and a more permanent *Access to Justice Act*. Also, there is a large amount of development work taking place with private contributors. This is also beginning to bring in new resources at the state and local level. Thorough identification of, and analysis of all funding sources for legal aid is currently underway. This analysis will enable programs to easily identify potential funding sources in regions, based on the success stories of other programs. Soon, a summit is to be held, involving representatives of PLS, the PLS board, and PLS-funded programs, to develop common understandings about the types of funding PLS will pursue and the types programs will pursue.

Some of the local fundraising has allowed for outreach to harder to reach groups. For example, Community Legal Services received a grant for language access, reaching out to clients who are not English speaking. CLS is in the process of developing protocols for this initiative, which will be of use throughout the state. Some of the statewide private funding has been in support of the Rev. Martin Luther King, Jr. Internship Program, which reflects a concerted effort of the statewide system to recruit people with more diverse ethnic backgrounds to help staff legal aid programs. This will allow for better outreach to different client groups.

The state budget and *Access to Justice Act* initiatives will allow for expansion in all areas of client services, including harder to reach clients. Some of the technology initiatives these funding sources will create will result in new ways of providing services. If the *Access to Justice Act* becomes law, there will be a careful, thoughtful process about how best to use these funds, including the need to reach out to clients not presently served.

F. Leadership Is Changing: Within the past several years, since the planning process began, new leaders have been placed at PLS, including the Controller, the Resource Developer, the Training and Information Coordinator, the Technology Coordinator, the Chief Administrative Officer and the Executive Director. In addition, the PBA hired a new Pro Bono Coordinator. Clients actively participated in the hiring of most of these key positions.

The merger and consolidation process of the various legal programs across the state has actually resulted in fewer leadership positions at the Project Director level. However, this process has also allowed for the creation of some leadership positions in the areas of development and management. In filling these positions, programs have been careful to reach out to various gender, race, ethnic, and economic groups.

There is more to be done in the leadership area. As a statewide system, we need to reach out further, especially when it comes to filling leadership positions. There is a statewide affirmative action plan and each legal aid program has its own plan. By filling more positions within legal aid through such exciting and innovative programs as the Rev. Martin Luther King, Jr. Internship Program (perhaps soon in a new, improved form, as discussed above) and by paying close attention to these plans, we expect to be able to continue to improve in this area.

G. Next Steps Have Been Identified: There are two important steps to be taken next in assuring the client-centered integrated and comprehensive delivery system of legal aid, so far as that question has to do with client leadership and client activity. The Client Services Committee of the PLS board, chaired by a client, recently announced a reinvigoration of the Committee, with quarterly meetings, bringing together clients from each of the regions. These events will allow clients to strategize together. They will also produce a collection of clients from whom appointments to various advisory committees within state government can be made. The Department of Public Welfare of Pennsylvania hosts several important advisory committees, regarding issues such as medical assistance, employment and training. Clients participate in these committees and can have a major impact. Recently, DPW agreed to substantially increase accessibility to mammograms, largely due to the good work and advocacy of members of the

Medical Assistance Advisory Committee. The reinvigoration of the Law Groups, including client participation, as described above, will also help to make major improvements in the extent of client involvement in the direction of legal aid in Pennsylvania.

H. There Are Few Obstacles in the Way: The greatest obstacle to achieving a statewide, integrated, client-centered delivery system has been the challenge of creating and implementing a truly statewide system while valuing the integrity of the various regional and specialty programs that exist across the state. There is great value to the structure in Pennsylvania of having a variety of programs. Pennsylvania is a large and diverse state. Programs are governed by local boards which can better see and respond to the needs in their service area. Pennsylvania also enjoys a large amount of local funding, comprising about one-third of total legal aid funding. Local programs are better able to reach out to much of this funding (the merger and consolidation process resulted in the loss of some of this funding as local funders questioned whether their money would stay local and support their priorities). With a system of varied programs across the state, Pennsylvania has succeeded at developing a statewide system that works well. New positions were created and filled at PLS, as discussed above. These positions all help to address statewide needs. They do so not only through efforts directly undertaken at PLS but also by helping to coordinate efforts of others across the state.

Technology has helped us greatly in advancing as a statewide system and will continue to do so, as we look to more and more opportunities in the statewide web site, as we look to what has been accomplished with the statewide web site (such as the brief and information bank) and as we look to greater statewide client access through centralized intake, brief service and advice.

I. The Benefits of the Current System Outweigh the Costs: While there has not been a specific benefit-to-cost analysis undertaken to test for a comprehensive, integrated and client-centered legal aid delivery system, we know there are several ways in which previous decisions have had a favorable benefit-to-cost relationship.

The merger and consolidation process has helped produce efficiencies and savings. It has also taken its toll, in certain financial areas and in staff morale. It is too soon to tell whether this process will have proven beneficial overall or not. Just as in the private sector, it is expected that the full impact of such a restructuring will take about five years to test. As contrasted with the private sector, there are fewer benchmarks against which to measure success. (Recent testimony of Michele DeBord, Executive Director of MidPenn Legal Services, before the LSC board, detailed some of the problems her program has faced as a result of mergers. A copy of her remarks can be found at Attachment 5.) Especially because LSC has led the drive for reconfiguration of programs, LSC should assist states in helping to heal the wounds created by this initiative. While the change may ultimately prove to have been the correct course, nonetheless, we are still in the midst of adjustment.

The technological initiatives described in this report reflect efforts to reach out to more clients in more economical ways. While clearly there will remain a core of clients whose interests and needs are best addressed by the one-on-one dialogue occurring between a lawyer or paralegal and the client, we also know that we cannot meet all client needs through this model and that innovative systems of brief service, pro se materials, pamphlets, and client portals on the web site can offer highly valuable services to clients at a far lower cost. All of these initiatives allow programs to say “yes” to many more clients, even without increased funding to support programs.

J. New Ideas and Resources Are Being Pursued: The resources, technical assistance and support needed to meet the goals of the statewide system of legal aid are largely being pursued. The private fundraising work and the legislative work for technology support and for a filing fee surcharge bill, having permanent effect, will allow for the achievement of many of the goals set forth in this report.

One area of need in the state continues to center around the merger and consolidation process. Many staff, and leaders in Pennsylvania remain unconvinced that these changes were needed or that they represented progress or improvement and many are frustrated by the day-to-day environment in which they work. Especially because the Legal Services Corporation so strongly encouraged movement in this direction, it is incumbent upon LSC to offer resources and assistance on how best to complete this process, in terms helping generate acceptance of the merger and consolidation process by the staff and board members of these programs.

2. The Intended Outcomes of the Comprehensive, Integrated Client-Centered Legal Aid Delivery System Have Been Largely Achieved, Including but Not Limited to

Service Effectiveness/Quality; Efficiency; Equity in Terms of Client Access; Greater Involvement by Members of the Private Bar in the Legal Lives of Clients; and Client-Community Empowerment, But There Is Far More Still to Be Accomplished.

A. Services Are Comprehensive: The issues impacting upon low-income persons are in some respects constantly changing and in other ways they are not. The core services provided by local programs need to continue and to grow. The need for growth is being addressed through attempts to raise more funds and through the creation of more technology-oriented ways of meeting some the client needs.

B. Specialized Client Needs Are Being Met: Specialized client needs can be met to some extent by the specialized programs that are currently part of the PLS family of programs. As discussed above, this range of services can improve by better coordination between specialty and local programs. It can also improve by a continual look at the makeup of specialty programs and whether other needs should be addressed. Recently, one specialty program, Friends of Farmworkers, revised its mission to allow for representation of other low wage workers within immigrant communities from which farmworkers have been drawn. This is a very positive example of the need to devise ways of meeting changing client needs and changing populations.

Language access projects and the translation of information pamphlets are also in the works in various parts of the state, improving upon the statewide system's ability to meet the needs of changing and varied populations.

C. Access and Services Are Expanding: A significant way in which access and services have been expanded, and where there is coordination of providers throughout the state is that the statewide system works closely with providers who are not part of the PLS-funded family of programs. While this expansion is difficult to quantify, examples include the following:

- A number of domestic violence programs are now receiving funding and offering legal services to victims of domestic violence. There is coordination at the local level, overall resulting in increased services.
- In the Philadelphia area, there are a number of public interest providers which are not part of the PLS family. These providers meet regularly with PLS-funded providers, to work on common goals and challenges, resulting in more efficient, improved, and ultimately greater services. Planning is underway for these groups to collaborate on the enhanced internet web site which PLS is sponsoring.
- Some of the successful legislative and advocacy efforts in Pennsylvania have resulted from close coordination between legal aid and other providers, such as head start or other low-income oriented programs. Through cooperative efforts, to name a few, health benefits for poor people have been improved, childcare access and subsidies have been increased, and low-income consumers have been better advised of their rights as users of utilities.

D. The Quality of Legal Aid Is Improving: One aspect of this is that we are better able to measure this through use of Desk Reviews. As these reviews are conducted, along with on-site monitoring visits, we can see that suggestions for improvement made to programs in the past have largely been implemented. This implementation results in higher quality of services.

The new larger programs are able to designate persons who coordinate complex litigation strategies. Many of the smaller programs were unable to devote staff time to such key positions.

A further way in which quality improves is through increased training and web site resources. The statewide trainings will continue to occur and will be augmented by more trainings, for example targeted to new lawyers. Web site features such as the brief and information bank provide new materials to advocates not previously available. The listserv and Law Groups also provide valuable training and communication opportunities, leading to higher quality services. These Law Groups also serve as the home base for the review of appeals, significant litigation, or legislative or administrative advocacy, to assure that unusual individual legal aid program activities are being reviewed for their statewide impact.

E. There Is Equitable Distribution of Legal Aid: Equity of client access to services has improved since 1998. This is partly due to the larger regional programs that exist and which are able to provide more evenly dispersed services throughout their program area. This is partly due to some increased funding received through the IOLTA program in the past year, allowing for expansion of staffing. (But, depending upon state budgetary outcomes, this

trend may be reversed next year.) Equity has also improved through the various technological initiatives described above, including web site, pro se materials, regional help lines, pamphlets, expansion of pro bono services, client portals and the accessibility of information for advocates, through e-mail, listservs, Law Groups and the brief and information bank. The translation of pamphlets and the language access projects are very helpful in providing more equitable services to clients speaking different languages.

The various statewide resources are available in a truly equitable manner. The specialty programs divide their attention across all parts of the state; urban and rural. Some of these programs, such as the Health Law Project, have help lines that are available to clients throughout the state. Although not part of the family of PLS funded programs, similar help lines are available through in the areas of education law and disability law. These programs also have web site postings, allowing clients and advocates to access their services with true statewide equity.

PLS administers the IOLTA and state funding stream. Every effort is made to assure equitable distribution of funds. Poverty census data form the primary basis for distributing funds to the regional programs and attention is paid to the distribution of funds to specialty programs.

The renewed and increased attention to pro bono services is also helping to provide more equitably distributed services. The recent round of distribution of the Supreme Court's \$100,000 initiative for development and improvement of pro bono systems was targeted to rural areas, having little or no organized pro bono models in place.

The Pennsylvania Bar Association's Pro Bono Coordinator is helping across the state to improve and form effective pro bono models. Already, this has resulted in an expansion of the ways and extent to which private lawyers help to deliver legal services to low income people. Recruitment and referral systems exist in counties where no such systems existed before. Attorneys who volunteer are rewarded and recognized by local bar associations and local programs and by the PBA, at public recognition events and in written materials. In fact, the PBA recently devoted an entire issue of its membership publication, "The Pennsylvania Lawyer," to public interest law, with significant content addressing pro bono services. A copy of this publication, including articles by the Pro Bono Coordinator and by the Executive Directors of the IOLTA and PLS programs is attached as Attachment 6.

IOLTA funding to law school clinical programs further advances the goal of equitably dividing legal aid resources. Clinical programs offer some of their services on a statewide basis and many clinics are in more urban areas, where larger centers of client populations exist.

There is more to be done to provide true equity of services across the state. This is especially challenging given that more affluent parts of the state tend to contribute more dollars to legal aid and expect the dollars to stay local for the provision of local services. However, through the technological services that are and will be offered and through the statewide private and governmental fundraising efforts underway, we expect to continue to see the state system grow, with funds disbursed in a way that targets them to the client population areas. Coordination and leadership by PLS in the areas of communication, technical assistance, resource development, and in other areas helps to assure that resources are being distributed equitably across the state.

F. The System of Legal Aid Operates Efficiently: The model employing a combination of regional programs, providing core client services, and specialized programs, expanding upon these client services, through use of special expertise, produces a very efficient division of resources. The relatively lean centralized part of the state system, PLS, is able to provide core services that were previously identified in the planning process: development, training and information, and technology assistance. The system continues to become more efficient as we use technology to serve clients whose interests can be met through such resources.

There is no duplication of services. The regional programs have well defined service areas and an inter-program referral policy upon which they rely. The specialized programs have non-overlapping defined areas of expertise. Pro bono programs partner with local bar associations and legal aid programs to assure their services blend well with other area services. Various alternative resources are available to clients in order for them to help themselves where legal aid cannot. Pro se materials, brief service systems, web site informational systems, and other resources supplement other services available in the area. Among advocates, the use of technology has also resulted in greater efficiency. Technological advances include use of e-mail,

listserves, the brief and information bank, web-based legal research (now available for all members of the PBA) and the posting of numerous materials and resources on the web site.

There is also efficiency realized through the PLS-centered statewide system. PLS has been able to negotiate advantageous contracts for statewide auditing, insurance, and other program needs, resulting in better purchasing power of the programs. These contracts were recently renegotiated, resulting in reduced costs.

G. Outcomes Are Measured: Some programs track dollars generated for clients. Others track the accomplishment of specific and measurable client goals, such as gaining a Protection from Abuse Order. A number of these measurable outcomes are discussed in the annual report published by Pennsylvania Legal Services, titled “Results and Capabilities 2000-2001.” This Report is found at Attachment 7.

3. The Best Organization and Human Resource Management Configurations and Approaches Are Now being Used.

A. The Configuration of Legal Aid Programs Is Appropriate: The current configuration of the Pennsylvania legal aid programs is pictorially portrayed at p. 7 of this report, as is the naming of each of these programs. A descriptive listing of the statewide specialty programs is set forth at p. 1 of the report. The configuration of the statewide system of legal aid has been well-planned and implemented according to plan in order to assure access to legal aid services for clients in all parts of the state and in all subject areas. The components of the census-based regional programs include offices dispersed across each program area, providing services to clients throughout the program area. The specialized programs all have offices too, some having two or three offices in different parts of the state. Each program has a governing board of local volunteers, including lawyers, clients, and community members.

The programs each engage in needs assessments and priority-setting processes under which, ultimately, the board of directors determines how the resources of that program should be allocated among the various client needs.

The funding sources of the programs are found in the pie chart at p. 9 of this report. A worksheet listing all sources of individual program revenues is attached as Attachment 8.

Beginning in 1998, the Pennsylvania system of legal aid has looked at a number of configurations and approaches to the delivery of legal aid. Some suggested, and some continue to suggest that the prior configuration was appropriate and should not be changed. Others (although a very small minority) have suggested that a single statewide system was appropriate. The prevailing view was the one adopted and which has been implemented, resulting in fewer and larger regional programs that have the ability to economize on management and administrative costs, that have the ability to concentrate legal skills in ways not previously available, and that have the ability to dedicate staff to other needs, such as resource development.

No changes in configurations are under consideration in the upcoming year, except that, as discussed above, the means by which the specialized programs and the census-based programs share information and work together toward client goals will continue to be explored, toward the aim of making improvements in this field. Although not strictly a configuration issue, the statewide system will also continue to explore means of broadening the range of specialized services available to clients and programs throughout the state. We do not find any identifiable duplication in capacities or services in the legal aid system in Pennsylvania with one exception.

B. There Is No Duplication of Services: It could be argued that some duplication exists where there are other legal aid providers that are not part of the PLS family. However, rather than seeing this as duplication, the more appropriate view is to look at this as a challenge of coordination of efforts. If only 20% of the legal needs of low-income Pennsylvanians are being met, it goes without saying that if domestic violence programs provide legal services to victims of abuse, or if other specialty programs provide specialized services in areas that overlap with aid available in the PLS family, or if there exist other legal aid providers, as there do, providing day to day services to poor people, this presents an opportunity and a necessity to coordinate, not to eliminate services. Much of this coordination is now taking place. Perhaps the main area in which coordination needs further attention is between legal aid programs and domestic violence programs, considering that just within the past fiscal year there has been a significant expansion of legal services offered through domestic violence programs.

Among the various programs making up the PLS network, there is no duplication. Each of the regional programs serves a discrete, non-overlapping client population. Especially exciting are the collaborations of programs that exist, particularly in the southeast, where the Consortium of three legal aid programs has been designed, and in the Philadelphia area, where Community Legal Services, Philadelphia Legal Aid and the pro bono Volunteers for the Indigent Program (VIP) exist. These collaborations include careful planning of services even among programs that are funded through differing sources. Likewise, each of the specialty programs serves a population of special needs, not addressed by other programs in the state.

C. Good Management Structures are in Place: In the management end, having to do with the people of management, as well as accounting systems, human resources management, case management, and other systems of management, there is no duplication. Programs have their own people and tools that meet the needs of the particular program area. Mergers have focused much of the attention on operational and administrative issues. A single statewide case management system is in place. A new case management package and intake

system has been identified, the software purchased and deployment is scheduled on a regional basis beginning in September 2002.

Numerous service delivery systems have been adopted in Pennsylvania since 1998. They are discussed above. Many have to do with technology or the flexibility made available because of technology. Brief services and advice, along with centralized intake, represent important new features to the service delivery system. Various aspects of the web site have been addressed, offering improved products for clients and advocates. Improved pro-se systems are in the works. Pamphlets, in multiple languages are available for clients. Improved language accessibility is now available to clients. In many counties, victims of domestic violence (who comprise about 20% of the caseload of legal aid offices across the state) can now begin the process of seeking a Protection from Abuse Order by filing papers, with assistance at the local courthouse, and then seeking out representation at the local legal aid office.

B. Concluding Remarks.

These are exciting times for legal aid in Pennsylvania. There is reason to be optimistic that the system of legal aid will grow and be enhanced in the ways described above. The goals are achievable in the next three years. Achievement requires hard work and determination, along with help from friends and allies. We now declare that these goals will be achieved. We thank LSC for the opportunity to describe the many high-quality features of the Pennsylvania statewide justice system and to be able to share the planning for future improvements. It is especially a pleasure to have been able to report on the various past planning efforts that have come to fruition, truly benefitting low-income residents of the state.